

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CAPITOL RECORDS, LLC and VIRGIN :  
RECORDS AMERICA, INC., :  
Plaintiffs, : 09 Civ 4458 (LMM) (GWG)  
-against- :  
STIPULATION AND ORDER OF  
ESCAPE MEDIA GROUP, INC., :  
DISMISSAL WITH PREJUDICE  
Defendant. :  
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x

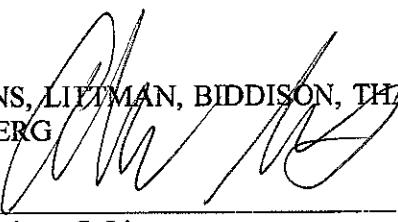
**IT IS HEREBY STIPULATED AND AGREED**, by the undersigned, the attorneys for plaintiffs Capitol Records, LLC and Virgin Records America, Inc. (collectively, "EMI Music"), on the one hand, and defendant Escape Media Group, Inc. ("Escape Media"), on the other hand, that the claims of EMI Music in Case No. 09 Civ. 4458 be and hereby are dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1), without costs to EMI Music and/or Escape Media and with neither EMI Music nor Escape Media as the prevailing party.

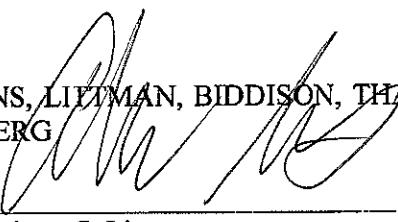
Dated: October 1, 2009  
New York, New York

COWAN, LIEBOWITZ & LATMAN, P.C.

By:   
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Attorneys for Defendant Escape Media Group,  
Inc.

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

U.S.D.J.